

March 26, 2020

Via Electronic Mail and US Mail

The Honorable Frank La Rose
Ohio Secretary of State
22 North Fourth Street, 16th Floor
Columbus, Ohio

Dear Secretary LaRose,

I am the Campaign Manager for Ohioans for Secure and Fair Elections. We are seeking to place a proposed amendment to the Ohio Constitution before Ohio voters in the November 3, 2020 general election. The campaign has made considerable headway in the process of doing this, to the point where under ordinary circumstances we would shortly begin the process of gathering petition signatures.

As you are well aware, Ohio law sets forth a number of formal requirements for signature gathering, including the total number of signatures required, a geographic distribution of those signatures, requirements that the signatures cannot be made by proxy and must be personally witnessed by the petition circulator, and requirements that the signature be in "ink" rather than electronic.

However, the ongoing COVID-19 pandemic has made it impossible as a practical matter for us to meet these requirements. Large gatherings and events have been cancelled or banned. Offices, retail locations, and other places of work have been closed down in compliance with the Governor's Order, and social distancing is widely observed, as urged by health experts. Absent these venues and opportunities for in-person signature gathering, there is no way the campaign can comply with Ohio's formal requirements.

I am writing to ask you, as Ohio's Chief Elections Official, to modify and/or decline to enforce Ohio's formal signature requirements in order to make it possible, in light of the current pandemic, for our proposed amendment to be placed on the ballot this fall so that Ohio voters have an opportunity to vote on it. As examples of recommendations, I suggest allowing for on-line petition signing and/or reducing the number of required signatures to a much lower number that could be feasible under current circumstances. I would be glad to discuss these suggestions with you. In any event, I request that you respond to this request before the close of business tomorrow, March 27.

Thank you very much,

A handwritten signature in black ink, appearing to read "Antonia C. D. Webb". The signature is fluid and cursive, with the first name "Antonia" being the most prominent part.

Antonia C. D. Webb
toni@secureandfairelections.org



Toni Webb <toni@secureandfairelections.org>

Response to Your Letter of March 26, 2020

Grodhaus, Michael <mgrodhaus@ohiosos.gov>
To: "toni@secureandfairelections.org" <toni@secureandfairelections.org>
Cc: "Madrid, Merle" <mmadrid@ohiosos.gov>

Fri, Mar 27, 2020 at 4:26 PM

Dear Ms. Webb,

Thank you for your letter of March 26, 2020 to Secretary LaRose. In your letter, you asked him "to modify and/or decline to enforce Ohio's formal signature requirements in order to make it possible, in light of the current pandemic, for our proposed amendment to be placed on the ballot this fall . . ." You stated that as "examples of recommendations, I suggest allowing for on-line petition signing and/or reducing the number of required signatures to a much lower number that could be feasible under current circumstances."

The current COVID-19 pandemic has upended nearly everything in our lives here in Ohio and in the lives of millions of Americans in many other states across the nation. As I know you are well aware, the pandemic even impacted our primary election. I can appreciate that the current situation has impacted your organization's signature gathering for the proposed amendments.

As you acknowledge in your letter, "Ohio law sets forth a number of formal requirements for signature gathering, including the total number of signatures required, a geographic distribution of those signatures, requirements that the signatures cannot be made by proxy and must be personally witnessed by the petition circulator, and requirements that the signature be in 'ink' rather than electronic." Secretary LaRose is not free to modify or to refuse to enforce the explicit constitutional and statutory requirements for initiative petition signature gathering, even in the current crisis. You will have to ask the General Assembly to modify, on an emergency basis so they could become effective immediately upon the Governor's signature, the petition signature gathering requirements that exist in statute. But as you know, some of the requirements to which you are referring are in Ohio's Constitution which the legislature cannot change on its own.

The Secretary and everyone here at the Secretary of State's Office hope you and the members of your organization stay healthy and safe during this very difficult time.



D. Michael Grodhaus | Chief Legal Counsel
Office of the Ohio Secretary of State

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